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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Unice; U.S. DEPARTMENT OF CONNECTOR U.S. Patent U. TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

In re Application of: Ron Nevo

Aug-24-2004 12:42pm

Application No.: 09/438,216

For Wireless apparatus interference avoidance in a Wireless Communication system percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently . The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are shortened by any terminal disclaimer, of prior Patent No. 5 600,728 commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee,

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the Its successors or assigns. prior patent, as presently shortened by any terminal disclaimer, in the event that it later; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally discislimed under 37 CFR 1,321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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The undersigned is an attorney or agent of record.

8-24-09

JAMES S. FINN Typed or printed name

Signature

202-807-4607 Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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